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12 FOREVER 21, INC.

13 UNITED STATES DISTRICT COURT

14 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

15 FOREVER 21, INC., a Delaware  
corporation,

16 Plaintiff and Counter-Defendant,

17 v.

18 GUCCI AMERICA, INC., a New York  
corporation,

19 Defendant and Counter-Claimant.

22 GUCCI AMERICA, INC., a New York  
corporation,

23 Counter-Claimant,

24 v.

25 FOREVER 21, INC., a Delaware  
corporation,

26 Counter-Defendant.

Case No. 2:17-cv-04706 SJO (Ex)

**PLAINTIFF AND COUNTER-  
DEFENDANT FOREVER 21, INC.'S  
NOTICE OF MOTION AND  
MOTION TO COMPEL  
DEFENDANT AND COUNTER-  
CLAIMANT GUCCI AMERICA,  
INC. TO PRODUCE TESTIMONY  
AND DOCUMENTS RELATING TO  
CONSUMER SURVEYS AND  
UNRETAINED EXPERTS**

Date: August 24, 2018

Time: 9:30 a.m.

Judge: Mag. Judge Charles F. Eick

Complaint Filed: June 27, 2017

First Amended

Complaint Filed: November 17, 2017

Second Amended

Complaint Filed: December 5, 2017

Pretrial Conference: October 5, 2018

Trial Date: October 23, 2018

Judge: Hon. S. James Otero

1 TO THE COURT AND ALL PARTIES AND THEIR RESPECTIVE COUNSEL  
2 OF RECORD:

3 PLEASE TAKE NOTICE that, on August 24, 2018, at 9:30 a.m., or as soon  
4 thereafter as the matter can be heard, in the courtroom of the Honorable Charles F.  
5 Eick, located at the Roybal Federal Building and United States Courthouse, 255 East  
6 Temple Street, Los Angeles, CA, 90012, Courtroom 750, 7th Floor, Plaintiff and  
7 Counter-Defendant Forever 21, Inc. ("Forever 21") will, and hereby does, move to  
8 compel Defendant and Counter-Claimant Gucci America, Inc. ("Gucci") to Produce  
9 Testimony and Documents Relating to Consumer Surveys and Unretained Experts.

10 This motion is based on this Notice of Motion, the parties' Joint Stipulation  
11 regarding the Motion, the supporting Declaration of Toni Qiu and the exhibits  
12 attached thereto, all filed concurrently herewith, all pleadings, papers, and other  
13 documents in the Court's file in this action, those matters of which the Court may  
14 take judicial notice, the arguments of counsel made at the hearing, and such other  
15 matters as the Court may consider.

16 Dated: August 3, 2018

17 SHEPPARD, MULLIN, RICHTER & HAMPTON  
18 LLP

19 By

/s/ Laura L. Chapman

20 SEONG KIM

21 KENT RAYGOR

22 LAURA L. CHAPMAN

23 TONI QIU

24 Attorneys for Plaintiff and Counter-Defendant  
25 FOREVER 21, INC.  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 3, 2018

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /s/ Laura L. Chapman  
LAURA L. CHAPMAN

Attorneys for Plaintiff and Counter-Defendant  
FOREVER 21, INC.